



UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA  
WESTERN DIVISION

DEROY JOHN GREEN, III,  
Petitioner,  
v.  
DELAWARENCE LEE,  
Respondent.

Case No. CV 08-08563 DSF (AN)

ORDER ACCEPTING THE FINDINGS  
AND RECOMMENDATION OF THE  
UNITED STATES MAGISTRATE JUDGE

Pursuant to 28 U.S.C. § 636, the Court has reviewed the file, including the Magistrate Judge's Report and Recommendation ("R&R") and Petitioner's Objections [49]. Further, the Court has completed a *de novo* review of those portions of the R&R to which Petitioner has objected.

IT IS ORDERED that:

1. The Court finds the Objections rehash some of the same arguments that are already addressed in the R&R and otherwise fail to show any of the findings in the R&R are factually or legally erroneous. Accordingly, the Objections are overruled and the Court accepts the findings and recommendation of the R&R.

1           2.     Judgment shall be entered dismissing this action with prejudice.

2           3.     Any and all other pending motions are denied as moot and terminated.

3           IT IS FURTHER ORDERED that the clerk of the Court shall serve a copy of this  
4 Order and the Judgment on all counsel or parties of record.

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7 Dated: August 24, 2012

  
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DALE S. FISCHER  
UNITED STATES DISTRICT JUDGE